

**Selectmen Meeting
Minutes
May 1, 2019**

Chairman Dziokonski, Selectman Iacobucci, Selectman Connolly, and Selectman Kerrigan were in attendance. Attendees were Town Administrator Ward and Solicitor Gibbons. Chairman Dziokonski opened the meeting at 7:00PM. He asked for a moment of silence for Mr. Norman Esterbrook, a longtime member of the Disabilities Commission.

Public Comment

Selectman Iacobucci referenced a recent letter to the Editor in the Item, he wasn't going to mention the resident by name, but wanted to clarify a lot of the letter is untrue. This is the second letter written by this person and it is full of lies. He isn't sure why this person continues to write lies about himself and the board. It may have begun with the earth removal hearing. He explained it is very sad and beyond ridiculous that this continues. Selectman Connolly agreed, stating the person is incapable of speaking the truth.

Review of Minutes

The board received minutes from April 17, 2019 Selectmen's meeting for review and approval. Selectman Iacobucci made a motion to approve minutes as presented. Selectman Connolly seconded the motion. The vote was unanimous.

Crabgrass, LLC Host Agreement – 55 Sterling Street

Chairman Dziokonski explained the Town Solicitor has completed the review of the draft host agreement to operate a cannabis cultivation facility at 55 Sterling Street, the company has the opportunity to move their operation to the first floor of the building instead of the upper floor as originally proposed. He invited the representatives of Crabgrass, LLC forward for discussion. Ms. Lynn McCarren of Crabgrass, LLC and Mr. Brian McCarren were before the board. Selectman Connolly asked if any of the existing tenants are going to be displaced. Mr. McCarren explained the area they are moving to is used to store cars, nobody is down there. He explained there should be no impact to existing tenants. Selectman Kerrigan reviewed the third floor is ideal it would have better ventilation than the basement. Ms. McCarren reviewed the basement has cement floors and is a better location for the tables. Mr. McCarren explained there are a lot of concerns with the water use on the wooden floors, he explained there are also a lot of techniques to be used for the smell litigation. It was the building owner's recommendation to move to basement. Selectman Kerrigan asked if the building sold. Ms. McCarren explained she is unsure if it has sold but she has spoken with both owners and there should be no impact on the tenants. Selectman Connolly made a motion to approve the host agreement as

presented by the Town Solicitor. Selectman Iacobucci seconded the motion. Under Discussion: Selectman Kerrigan reviewed he is in support contingent the existing businesses are not losing their spot, rumor out the new owner only wants cannabis business tenant. Mr. McCarren reviewed no one should be displaced, there will be no impact on tenants. He explained they cannot have something contingent on what the owner does, they are working with the custodian of the building and there is no indication of any displacement of tenants. Chairman Dziokonski agreed you cannot hold a tenant responsible for what the landlord will or might do. The vote was unanimous.

Class II Motor Vehicle Dealer License Hearing- 678 Main Street

Chairman Dziokonski reviewed there was a miscommunication, this hearing will be held at the next meeting.

Class II Motor Vehicle Dealer License Hearing- 546-556 Main Street

Chairman Dziokonski opened the hearing inviting the representative of 546-556 Main Street forward for discussion. Mr. Hector Ibarra was before the board explaining he is before the board for approval of an expansion to the existing number of vehicles allowed. He reviewed he has been before the Planning Board and received approval for up to 45 cars. He is pursuing the next steps on how to proceed. Solicitor Gibbons explained he researched 546-556 Main Street, it is defined as two separate addresses, there is one deed for the parcel. One property tax and one owner of the property. His recommendation is to have the current license turned in and issue the expansion to the license including both numbers to the parcel, 546-556 Main Street. Chairman Dziokonski opened the hearing for Public Comment, in favor, there was none, in opposition, there was none. He closed the hearing. Selectman Connolly made a motion to grant license, approving 45 cars to 546-556 Main Street. Selectman Kerrigan seconded the motion. Under Discussion: Selectman Iacobucci explained that is a lot of cars for the two lots is there any mechanism if it turns out to be too many. Administrator Ward reviewed the board at any time can call the business owner in for an adjustment. Solicitor Gibbons agreed, explaining the statute dictates this fall under the board's discretion, if the board has concerns, they can hold a hearing. The vote was unanimous.

2019 Annual Livery License Renewals

Chairman Dziokonski reviewed the board has received renewal requests from Jacqueline Baldassarre d/b/a The Taxi Livery Ride for 423 Water Street. Selectman Iacobucci made a motion to renew the 2019 Livery Licenses as requested. Selectman Kerrigan seconded the motion. The vote was unanimous.

2019 Annual Town Meeting Draft Warrant

Chairman Dziokonski explained a draft warrant has been prepared for the upcoming town meeting to be held on June 3, 2019 at 7:00PM for the board's review. He began the review explaining Articles 1 to 8 are standard each year.

Article 8 is approving funding for the Senior Tax Rebate program and it is recommended the amount be increased to \$30,000 from \$15,000, the board agreed.

Article 9 is the appropriation for the Health Insurance Trust Fund.

Article 10 is the appropriation for the Stabilization Fund.

Article 11 is the appropriation to transfer from the Landfill Enterprise Retained Earnings to be used for Capital Projects & Infrastructure Improvements Stabilization Fund.

Article 12 is the appropriation to transfer \$2,560,000.00 from the Landfill Enterprise Retained Earnings to the Landfill Closure Reserve.

Article 13 is the appropriation to borrow or transfer from the stabilization fund \$ 2,317.00, to be expended by the Selectmen for unpaid bills.

Article 14 is the appropriation to transfer from the stabilization fund funds to be expended by the Board of Selectmen for a lump some payment of the early retirement incentive.

Article 15 is the appropriation from the PEG Access and Cable Related Fund the sum of \$225,000.00 to be used to support the cable access services.

Article 16 is the authorization for the Board of Selectmen to acquire temporary or permanent easements for the purpose of reconstructing High Street related to the Downtown Decorative Streetlight and Streetscape Reconstruction Project.

Article 17 is the appropriation of the transfer from the stabilization fund \$4,500,000.00 or any other sum, to be expended for the installation of decorative streetlights and streetscape improvements of the downtown area.

Article 18 is the appropriation of \$100,000.00 to be expended by the Clinton Public Schools for the purchase of textbooks and technology.

Article 19 is the appropriation of \$640,000.00 to be expended by the Clinton Public Schools for repair or replacement to the roof at the Clinton Middle School.

Article 20 is the appropriation of \$100,000.00 to be expended by the Clinton Public Schools for the purchase and installation of an emergency generator at the Clinton Middle School.

Article 21 is the appropriation of \$140,000.00 to be expended by the Department of Public Works for a one-ton truck with catch basin cleaner.

Article 22 is the appropriation of the transfer from the Capital Projects & Infrastructure Improvements Stabilization Fund the sum to be determined to be expended by the DPW for road resurfacing and improvements to High, Berlin and Greely Streets.

Article 23 is the appropriation of the transfer from the Capital Projects & Infrastructure Improvements Stabilization Fund the sum of \$200,000.00 to be expended by the DPW for drainage system improvements to Pleasant, Marshall, Liberty Summit and Wilson Streets.

Article 24 is the appropriation to transfer from the Landfill Enterprise Fund the sum of \$1,000,000.00, to be expended by the DPW for the South Meadow Pond Dredging and Phase 1 Landfill Closure Project.

Article 25 is the appropriation of Chapter 44§20 of the MGL the sum of \$200,000.00 from Water Meter Replacement Project, authorized under Article 13 of the 2013 ATM to be used for the sewer inflow & infiltration study and related sewer improvements.

Article 26 is the appropriation of the Water Sewer Enterprise Fund the sum of \$400,000.00 to be expended by the DPW for sewer inflow & infiltration study.

Article 27 is the appropriation of \$500,000.00 to be expended by the DPW for painting and mixing valves at the Burditt Hill and Mulberry Drive Water Tanks.

Article 28 is the appropriation of a \$50,000.00 transfer from the Water Sewer Enterprise Fund to be expended by the DPW for the dam removal projects at the Wekepeke property in Sterling, Chairman Dziokonski asked for Superintendent McGown to provide some more information and discussion on this request.

Article 29 is the appropriation of \$200,000.00 to be expended by the Police Chief for the purchase of a cloud-based software system for the Police & Fire reports. Administrator Ward explained this is an upgrade to the current software to a cloud-based record management software to be used by both departments.

Article 30 is the appropriation of \$550,000.00 to be borrowed or transferred from available funds to be used by the Clinton Fire Department to purchase a new fire engine. Chairman Dziokonski asked for the Fire Chief to be invited to the next meeting to provide more information on the type of truck for this request.

Article 31 is the appropriation of \$10,000.00 to be borrowed or transferred to be expended by the CEMA for the purchase of a new four -wheel drive vehicle, Administrator Ward explained the Finance Committee is recommending this be budgeted under equipment for department.

Article 32 is the appropriation to borrow or transfer from the Stabilization Fund \$7500.00 to be expended by the Bigelow Library Board of Trustees for the purchase of a cooling/heating unit for the main room. Selectman Connolly suggested this be included in the Facility Department budget.

Article 33 is the authorization of filling special legislation to allow for the appointment of two alternate members of the Conservation Commission for terms not to exceed three years.

Article 34 is the acceptance of provisions under Chapter 32, Section 20A to indemnify the members of the Clinton Retirement Board for expenses of any civil action.

Article 35 is an amendment of the Administrative By-Laws to add the following: Use of Capital Projects & Infrastructure Improvements Stabilization Fund.

Article 36 is an amendment of the Administrative By-Laws to revise the duties of the Bigelow Library Board of Trustees.

Article 37 an amendment to the Administrative By-Laws to Article III, Section 11 to establish new guidelines relative to the disposition of surplus town property.

Article 38 an amendment to the Administrative By-Laws to relative to setting construction hours of operation to limit abutter noise impacts at undesirable times.

Article 39 an amendment to the Administrative By-Laws relative to the adoption of the Stretch Code for building permits.

Article 40 is to amend the Zoning By-Laws, to reflect the requirement of site plan review by the Planning Board of an application for a Special Permit or Variance.

Article 41 is to amend the Zoning By-Laws on the limit to the number of marijuana establishments. Administrator Ward explained currently the limit is 20% of the alcohol retailers. Selectman Connolly reviewed for clarification if the board makes the change in the number. Administrator Ward explained yes; the process requires a public hearing with the Planning Board. He explained he will double check if there is time to hold the hearing prior to town meeting.

Article 42 is to amend the Zoning By-Laws relative to the creation of a multi-family housing.

Article 43 is to vote to declare the real property owned by the Town located at 329 High Street and 172 Sterling Street as surplus property with the intent of providing for the disposition of these properties by means of Request for Proposals.

Article 44 to vote to accept the private way known as Prescott Lane as a public way. Administrator Ward reviewed the DPW certified they have met all of the road requirements with construction. Selectman Kerrigan expressed concerns. Chairman Dziokonski explained this is a standard process. Solicitor Gibbons agreed explaining more streets will be added for the Bufton Farm development and Nathan Heights development.

Article 45 to vote to accept the donation of a property easement on Pond View Drive for maintenance of a water line.

Article 46 to vote to provide an easement over town owned land on South Meadow Road for access to a solar array on the private property. Solicitor Gibbons explained there are a lot of hurdles, he is working with the DPW Superintendent on what is needed for completion before the project will move forward.

Article 47 Citizen Petition to petition the General Court for special legislation to authorize the Board of Selectmen to grant a Chapter 138, Section 15 all alcohol package store license to Super Sumit, Inc. for premises located at 1183 Main Street. Selectman Connolly asked if it is legal to put a name on the license. Solicitor Gibbons explained it stays with the property. Selectman Connolly stated it would better serve the community to petition the state for 2 or 3 more licenses.

Article 48 Citizen Petition to petition the General Court for special legislation to authorize the Board of Selectmen to grant a Chapter 138, Section 15 all alcohol package store license to 1044 Main Street, LLC for premises located at 1044 Main Street.

Article 49 Citizen Petition is a request from Clinton Youth Football & Cheer to appropriate \$10,000.00 for the purchase of a storage unit for Fuller Field. Selectman Connolly asked why the town would buy a storage unit for an individual league, this should be part of the Fuller Field budget if purchased by town.

Article 50 Citizen Petition is a request from Clinton Youth Football & Cheer and the Clinton Little League to appropriate \$28,000.00 for the purchase of portable bleachers for Fuller Field. Selectman Kerrigan stated he is baffled that the Fuller Field Commission isn't asking for the funding, they have made no request for bleachers. Chairman Dziokonski explained when the individuals approached the Fuller Field Commission it was recommended, they present a Citizen Petition at town meeting. He explained when the old bleachers were removed it was reported replacement smaller bleachers were going to be installed. He reviewed this should be discussed with the Fuller Field Commission.

FY2020 Budget Review

Chairman Dziokonski reviewed the Selectman Kerrigan and Selectman Connolly are working with the Finance Committee sub committee regarding the FY2020 budget. Selectman Connolly explained he would like to review the FY 2020 budget priority items they have worked on. There is more new growth then, in years past. He has made a list of priorities:

1. Increase the stabilization fund and the OPEB fund to \$200,000 each
2. Fully fund the Police & Fire Departments overtime
3. Fund the Snow & Ice account, with an average of what has been spent over the last 3 to 5 years
4. Create a funding mechanism for sidewalk snow removal on the town property
5. Early retirement provision, payment deferred, pay \$135,000
6. School Department pay the retirement, now the sick time buy back is deferred over 3 years, which results in deficit spending, pay this off
7. Fund the High Street Lighting project though the Capital Improvements
8. Fund the Facility Department

Selectman Connolly made a motion to adopt the budget priorities as presented. Selectman Iacobucci seconded the motion. Under Discussion: Selectman Iacobucci thanked Selectman Connolly and Selectman Kerrigan for working on the subcommittee with the Finance Committee, these items need to be done. Chairman Dziokonski agreed explaining of the priorities are affordable and it is contributing to the fiscal good health of the town. The vote was unanimous.

Administrative Business

Late Night Closings

Chairman Dziokonski reviewed the following establishments are requesting late night closings for Saturdays in the month of May 2019: Clinton Turn Verein, Crystal Café, Tee's

Liberty Tavern, Ringside Café, Spruce Street Tavern, The Simple Man Saloon and Polish American Veterans. Selectman Iacobucci made a motion to approve the requests as presented with any additional requests be sent for Police Chiefs review and approval. Selectman Kerrigan seconded the motion. The vote was unanimous.

Old & New Business

Reserve Fund Transfer for Fire Overtime

Chairman Dziokonski reviewed Fire Chief Lutes is requesting approval of a Reserve Fund Transfer from the Finance Committee in the amount of \$100,000.00 for payment of the overtime expenses for the remainder of the fiscal year. Administrator Ward reviewed the department has had 2 Fire Fighters out, injury on duty, so the coverage has been done by overtime. He explained the department has submitted two requests but the Finance Committee doesn't have enough to cover both, he explained if the board approves to move forward to Finance Committee possibly it may be covered at the end of year when funding can be moved around to cover transfer. The Finance Committee can determine what to cover. Selectman Iacobucci made a motion to grant the \$100,000 transfer request to cover Fire Department overtime expense as presented. Selectman Kerrigan seconded the motion. Under Discussion: Selectman Connolly reviewed this was part of his budget priorities each year the overtime isn't adequately funded, this is what he would like to eliminate. The vote was unanimous.

Reserve Fund Transfer for Fire Department Apparatus Repairs

Chairman Dziokonski reviewed Fire Chief Lutes is requesting approval of a Reserve Fund Transfer from the Finance Committee in the amount of \$50,000.00 for costs associated with apparatus repairs that have depleted the budget. Selectman Iacobucci made a motion to grant the \$50,000.00 transfer request to cover Fire Department expenses for apparatus repairs as presented. Selectman Kerrigan seconded the motion. The vote was unanimous.

Cable Television Committee

Chairman Dziokonski reviewed the board has received a request from Jeffrey Swann to serve on the Cable Television Committee, this is the Chairman's appointment. He approved Mr. Jeffrey Swann as a member to the Cable Television Committee. Selectman Iacobucci welcomed Mr. Swann to the Committee.

Goals & Objectives

Downtown Decorative Street Lighting

Chairman Dziokonski reviewed the cost for the project is estimated as \$4.5 million, they committee has scheduled a meeting with the Engineering firm for a full assessment of the project. A presentation of the project will be presented to the board.

OPEB Oversight Recommendations

Selectman Connolly explained the Government Affairs Committee has a meeting to discuss this with the Town Auditor and Town Counsel, to be educated on the town liabilities and move forward.

Committee Reports

Marketing & Communications Committee

Selectman Kerrigan explained they met on April 23; they are underway with planning the Town Wide Clean Up Day scheduled for May 18, 2019 from 9AM to Noon. Please e-mail Selectman Kerrigan if you are interested in participating. They also discussed educating residents on the upcoming Annual Town Meeting and Annual Town Election, distributing materials for town meeting and exposure of the dates for both events. They will work with the Town Administrator to get information available online.

Selectman Iacobucci excused himself from the meeting.

Roll Call Vote to enter into Executive Sessions under Article 3 DPW Union Negotiations
Selectman Iacobucci "aye", Selectman Connolly "aye" Selectman LeBlanc "aye" and Chairman Dziokonski "aye".

Executive Session Article 3 DPW Union Negotiations

Selectman Kerrigan made a motion to adjourn the meeting at 9:40PM. Selectman Connolly seconded the motion. The vote was unanimous.

Meeting Adjourned,

Joyce A. Corbosiero

Executive Assistant Clinton Board of Selectmen & Town Administrator